

**PUBLIC SAFETY  
AND  
LEGAL ADMINISTRATION COMMITTEE  
MINUTES**

**MAY 1, 2007**

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, May 1, 2007 at 3:31 p.m., in the Council Chambers**. The following members were present:

**The Honorable Cleta Winslow, Chair  
The Honorable C. T. Martin, Vice-Chair  
The Honorable Carla Smith  
The Honorable Anne Fauver  
The Honorable H. Lamar Willis  
The Honorable Joyce Sheperd**

Others present at the meeting were: Councilmembers Felicia Moore and Ivory L. Young, Jr., City Attorney Elizabeth Chandler, Jerry DeLoach and Dianne Mitchell, Law Department; Chief Richard Pennington, Deputy Chief Carlos Banda, Major Williams, Lt. Anderson, Malachi Hull, Police Department; Deputy Chief Meadows, Fire & Rescue; Raines Carter, City Solicitor; Greg Pridgeon and Derrick Williams, Office of the Mayor, the media, public and council staff.

Chair Cleta Winslow called the meeting to order at 3:31 p.m. after declaring a quorum present. She then proceeded with the following order of business.

**A. ADOPTION OF AGENDA - ADOPTED**

**B. APPROVAL OF MINUTES - APPROVED**

**CONSENT**

**C. RESOLUTIONS**

**Claims with favorable recommendations:**

07-R-0773 ( 1)      Claim of **State Farm Insurance Companies, as subrogee of Chris James**, for damages alleged to have been sustained as a result of a vehicular accident on October 16, 2006 at Spring and 5<sup>th</sup> Streets. **\$3,468.65**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 07-R-0774 ( 2)      Claim of **Herschel Parker**, for vehicular damages alleged to have been sustained from driving over a deteriorated construction site on July 27, 2006 at 519 University Avenue, SW. **\$2,466.50**
- 07-R-0775 ( 3)      Claim of **Simon Betancourt**, for damages alleged to have been sustained as a result of an automobile accident on January 29, 2007 at 199 Northside Drive, SW. **\$655.40**
- 07-R-0776 ( 4)      Claim of **Rynita M. Ross**, for damages alleged to have been sustained as a result of a slip and fall incident in an uncovered water meter on September 3, 2006 at 824 Ralph David Abernathy Boulevard. **\$953.00**
- 07-R-0777 ( 5)      Claim of **Kimberly Paceley**, for damages alleged to have been sustained as a result of driving over a pothole in November 2006 at 3345 Lenox Road, NE. **\$699.47**
- 07-R-0778 ( 6)      Claim of **Deborah Wilmont and Henry Fallin**, for vehicular damages alleged to have been sustained from driving over an un-raised sanitary sewer manhole on August 12, 2006 at Memorial Drive and Mortimer Place. **\$1,463.00**
- 07-R-0779 ( 7)      Claim of **Ila Harris**, for damages alleged to have been sustained as a result of a vehicular accident on November 11, 2006 at Williams Street and Peachtree Place. **\$757.79**
- 07-R-0780 ( 8)      Claim of **Jonah White**, for damages alleged to have been sustained as a result of an automobile accident on January 24, 2007 at 3000 Inner Loop Road. **\$820.83**
- 07-R-0781 ( 9)      Claim of **Clarence Jones**, for damages alleged to have been sustained as a result of driving over a pothole on February 13, 2007 at 3345 Lenox Road, NE. **\$1,300.00**

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 07-R-0782 (10) Claim of **Mutana, Inc.**, for property damages alleged to have been sustained from a broken service lateral water line on February 25, 26, 2005 at 1388 Ralph David Abernathy Boulevard. **\$21,121.00**
- 07-R-0783 (11) Claim of **Alonzo Craig**, for vehicular damages alleged to have been sustained as a result of pieces of concrete decking falling on April 17, 2006 at 675 Ponce de Leon Avenue. **\$833.26**
- 07-R-0785 (12) Claim of **Alvin Wallace**, for damages alleged to have been sustained as a result of a vehicular accident on February 24, 2007 at 1445 Campbellton Road. **\$1,262.60**
- 07-R-0786 (13) Claim of **Tameka Hicks, through her attorney, John Foy**, for damages alleged to have been sustained as a result of walking on an uncovered water meter box on February 15, 2006 at 400 Lindsay Street. **\$4,800.00**
- 07-R-0787 (14) Claim of **Tara Lammers**, for damages alleged to have been sustained as a result of a car accident on July 26, 2006 at Interstate 285 South and Interstate 20 West. **\$821.44**
- 07-R-0850 (15) Claim of **Scott Daniels**, for property damages alleged to have been sustained when a camera was misplaced on October 11, 2002 at 675 Ponce de Leon Avenue, NE. **\$6,458.00**

**Claims with unfavorable recommendations:**

- 07-R-0788 (16) Claim of **Byron McCoy, through his attorney, Neil J. Kopitsky**, for damages alleged to have been sustained as a result of an automobile accident on May 21, 2005 at West Lake Avenue, NW and Spring Road, NW.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 07-R-0789 (17) Claim of **Kristen Justice**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe condition on November 13, 2006 at 1230 Peachtree Street, NE.
- 07-R-0790 (18) Claim of **Praxis Consulting, LLC**, for property damages alleged to have been sustained due to an automobile accident on March 31, 2006 at 2297 Swallow Circle, SE.
- 07-R-0791 (19) Claim of **Armitta Elaine McNair Gilbert**, for bodily injuries alleged to have been sustained after being thrown from her seat while riding the Concourse train on November 12, 1996 at 6000 North Terminal Parkway.
- 07-R-0792 (20) Claim of **Billy Martinez**, for damages alleged to have been sustained from a police property incident on March 4, 2006 at 675 Ponce de Leon Avenue, NE.
- 07-R-0793 (21) Claim of **Lemuel N. Peterson Sr.**, for damages alleged to have been sustained as a result of vandalism on October 9, 2006 at 653 Green Street.
- 07-R-0794 (22) Claim of **Robert Grady, Sr.**, for damages alleged to have been sustained as a result of striking metal plates on October 14, 2006 at 842 Peachtree Street.
- 07-R-0795 (23) Claim of **Gus Bradley Westbrook**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe condition on February 23, 2006 at 1447 Piedmont Avenue, NE.
- 07-R-0796 (24) Claim of **Angelic Jno-Charles**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe condition on November 15, 2006 at 1230 West Peachtree Street, NE.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 07-R-0797 (25) Claim of **Frank J. Rhodes, III and Virginia Bryson Rhodes, through their attorney, J. Stanley Hawkins**, for damages alleged to have been sustained as a result of a sewer backup on June 12, 2005 at 1911 Colland Drive, NW.
- 07-R-0798 (26) Claim of **Joe C. Davis**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe condition on November 10, 2006 at 1230 West Peachtree Street, NE.
- 07-R-0799 (27) Claim of **FelCor Lodging Limited Partnership, through their attorney, Holt, Ney, Zatcoff, & Wasserman, LLP**, for damages alleged to have been sustained as a result of the operation of the 5<sup>th</sup> Runway located at the Hartsfield-Jackson Atlanta International Airport.
- 07-R-0800 (28) Claim of **Sharone E. Mitchell, through her attorney, Deric J. Beaudoin**, for damages alleged to have been sustained as a result of a slip and fall incident near Concourse D on November 15, 2006 at Hartsfield-Jackson Atlanta International Airport.
- 07-R-0801 (29) Claim of **Esell Rainey**, for damages alleged to have been sustained as a result of striking an open construction cut on January 21, 2007 at 830 West Peachtree Street.
- 07-R-0802 (30) Claim of **Leslie W. Stumpff**, for damages alleged to have been sustained as a result of striking an open construction cut on January 23, 2007 on West Peachtree Street.
- 07-R-0803 (31) Claim of **Jason Mangum**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe condition on December 8, 2006 at 2857 Forrest Hills Drive, SW.
- 07-R-0804 (32) Claim of **Elisha Hunter**, for damages alleged to have been sustained after driving over a construction cut on January 1, 2007 at the intersection of Piedmont Avenue and The Prado.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 07-R-0805 (33) Claim of **Marilyn Costas**, for damages alleged to have been sustained as a result of a vehicle accident on September 5, 2006 at 4 Screven Street, NE.
- 07-R-0806 (34) Claim of **Julio Palacio**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe condition on November 3, 2006 at 1230 West Peachtree Street, NE.
- 07-R-0807 (35) Claim of **Mary Ellen Macrynika**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe condition on October 23, 2006 at 1230 West Peachtree Street, NE.
- 07-R-0808 (36) Claim of **Carlos D. Matis, Sr.**, for damages alleged to have been sustained as a result of striking an open construction cut on September 10, 2006 at 502 Rockwell Street, SW.
- 07-R-0809 (37) Claim of **Kevin Duggan, through his attorney, Steve I. Goldman**, for damages alleged to have been sustained as a result of a slip and fall incident near Concourse D on November 13, 2006 at Hartsfield-Jackson Atlanta International Airport.
- 07-R-0810 (38) Claim of **John F. Woodham**, for damages alleged to have been sustained as a result of the City of Atlanta's Water and Sewer rates.
- 07-R-0811 (39) Claim of **John F. Woodham**, for damages alleged to have been sustained as a result of the City of Atlanta's Solid Waste and Recycling rates and Water and Sewer rates.
- 07-R-0812 (40) Claim of **Cecil S. Mallory**, for damages alleged to have been sustained as a result of driving over a manhole on July 27, 2005 in the 700 Block of Boulevard, SE.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 07-R-0813 (41) Claim of **Department of Transportation, State of Georgia**, for damages alleged to have been sustained as a result of additional expenses related to the design of the 17<sup>th</sup> Street Bridge.
- 07-R-0814 (42) Claim of **Emon K. Bryant**, for damages alleged to have been sustained as a result of driving over a pothole on February 27, 2006 on Howell Mill Road.
- 07-R-0815 (43) Claim of **Eloise Kehr**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on September 13, 2006 near Metropolitan Parkway and Lillian Avenue.
- 07-R-0816 (44) Claim of **Lakesha Thompson**, for damages alleged to have been sustained as a result of driving over a pothole during October 2005 at Moreland Avenue near Custer Avenue.
- 07-R-0817 (45) Claim of **Evelyn Browning**, for damages alleged to have been sustained as a result of driving over a pothole on February 9, 2007 at Centennial Olympic Park Drive and Martin Luther King, Jr. Drive.
- 07-R-0818 (46) Claim of **Matthew Coggins, through his attorney, Fleming, Fried & Bonder, LLC**, for damages alleged to have been sustained as a result of an automobile accident on April 3, 2006 at Boulevard Avenue and Freedom Parkway.
- 07-R-0819 (47) Claim of **Betty Ann Kelahan**, for damages alleged to have been sustained as a result of a fallen tree on October 20, 2006 at 610 Brownwood Avenue, SE.
- 07-R-0820 (48) Claim of **Charles T. Tinsley, IV**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe condition on November 12, 2006 at 1230 West Peachtree Street, NE.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 07-R-0821 (49) Claim of **Latoshia A. McDowell**, for damages alleged to have been sustained as a result of a ruptured water main on May 12, 2005 at 2285 Peachtree Road, NE.
- 07-R-0822 (50) Claim of **Vivek Muniswamy Reddy**, for vehicular damages alleged to have been sustained after driving over a construction site that was improperly covered on June 7, 2006 at Howell Mill Road, NW and Marietta Street, NW.
- 07-R-0823 (51) Claim of **Cheryl D. Wilcox**, for vehicular damages alleged to have been sustained on May 17, 2006 at 55 Trinity Street, SW.
- 07-R-0824 (52) Claim of **State Farm Insurance Companies, as subrogee of insured, James Chappel**, for property damages alleged to have been sustained due to an automobile accident on March 11, 2006 at 1409 Park Avenue, SE.
- 07-R-0825 (53) Claim of **Marcus Malcolm**, for damages alleged to have been sustained as a result of a vehicle accident on January 26, 2007 at 151 Cleveland Avenue.
- 07-R-0826 (54) Claim of **Theresa Freeman, through her, attorney, Gregory M. Evans**, for bodily injuries alleged to have been sustained due to a fall on October 12, 2006 at 430 Centennial Olympic Park Drive.
- 07-R-0827 (55) Claim of **Mary Daniels, through her attorney, Russell J. Parker, Esq.**, for bodily injuries alleged to have been sustained from a slip-and-fall incident on September 13, 2006 at 8700 Spine Road, Hartsfield-Jackson Atlanta International Airport.
- 07-R-0828 (56) Claim of **Angelle G. Hamilton**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe condition on July 24, 2006 at 1468 Mecaslin Street, NW.



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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 07-R-0829 (57) Claim of **Margie Thorpe**, for damages alleged to have been sustained as a result of driving over a pothole on January 24, 2006 on Sylvan Road.
- 07-R-0830 (58) Claim of **Helen R. Hannah**, for damages alleged to have been sustained during the installation of a gas main and service line between December 2006 and January 2007 at 366 Brentwood Drive, NE.
- 07-R-0831 (59) Claim of **Jeremy Rio and State Farm Insurance Company, through their Attorney's Office, Wilber and Associates**, for damages alleged to have been sustained as a result of an automobile accident on September 15, 2006 on Ward Avenue in Honolulu Hawaii.
- 07-R-0832 (60) Claim of **Shurlan Joseph**, for damages alleged to have been sustained as a result of the turning on of water service on December 11, 2006 at 789 Simpson Street.
- 07-R-0833 (61) Claim of **Robert Zimmerman**, for damages alleged to have been sustained as a result of striking an open construction cut at 1426 Monroe Drive.
- 07-R-0834 (62) Claim of **Najla Rashad-Einstein**, for damages alleged to have been sustained from an unjust arrest on October 17, 2004 at 88 Peachtree Circle, NE.
- 07-R-0835 (63) Claim of **Lawrence Taub, through his attorney, Charles McAleer, Esq.**, for bodily injuries alleged to have been sustained after tripping and falling on a broken section of sidewalk on March 17, 2005 at 556 Courtland Street.
- 07-R-0836 (64) Claim of **Susan Hoy**, for damages alleged to have been sustained as a result of driving over a construction cut on October 16, 2006 at the intersection of Briarcliff Avenue and Virginia Avenue.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 07-R-0837 (65) Claim of **Gwendolyn Hathaway**, for damages alleged to have been sustained as a result of striking a metal plate on March 14, 2006 on Cascade Road.
- 07-R-0838 (66) Claim of **Joyce L. Baron**, for vehicular damages alleged to have been sustained after hitting a newly installed curb on September 6, 2006 on Morosgo Drive, NE.
- 07-R-0839 (67) Claim of **M. Cary & Daughters Plumbing**, for damages alleged to have been sustained as a result of driving over a catchbasin on September 28, 2006 at 1490 Monroe Drive.
- 07-R-0840 (68) Claim of **Stacey R. Rodriguez**, for damages alleged to have been sustained as a result of driving over a metal construction plate on October 16, 2006 at the intersection of Briarcliff Avenue and Virginia Avenue.
- 07-R-0841 (69) Claim of **Joyce Lynn McKinney, through her attorney, Todd N. Tappe, Attorney at Law**, for bodily injuries alleged to have been sustained from a trip and fall incident on July 10, 2006 at Hartsfield-Jackson Atlanta International Airport.
- 07-R-0842 (70) Claim of **Ryan Conway**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe condition on November 17, 2006 at 1230 West Peachtree Street, NE.
- 07-R-0843 (71) Claim of **Robert Junior Thomas**, for damages alleged to have been sustained as a result of vandalism on May 18, 2006 at 1120 North Avenue.
- 07-R-0844 (72) Claim of **Troy Davis, Sr.**, for damages alleged to have been sustained as a result of his trash can being destroyed on May 11, 2006 at 987 Forrest Circle, SE.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 07-R-0845 (73) Claim of **Carolyn Wise Dyson**, for damages alleged to have been sustained as a result of an automobile accident on February 1, 2007 at Campbellton Road, SW and Oakland Drive, SW.
- 07-R-0846 (74) Claim of **Jessie L. Harvey**, for bodily injuries alleged to have been sustained from a fall on November 17, 2006 at 6000 North Terminal Parkway.
- 07-R-0847 (75) Claim of **Lisa Baker**, for damages alleged to have been sustained as a result of striking an open construction cut on February 15, 2007 at 460 Rockwell Street, SW.
- 07-R-0848 (76) Claim of **Robert F. Weatherly**, for damages alleged to have been sustained as a result of striking a hole in the roadway due to a missing storm drain on January 16, 2007 at 2809 Peachtree Road.
- 07-R-0849 (77) Claim of **Devin Randal Flores**, for damages alleged to have been sustained as a result of an incident on April 26, 2006 at the Atlanta City Detention Center.  
**(Councilmember Smith made a motion to approve items C1-C77.) (Item 07-R-0784 was deleted from the Agenda at the request of the Law Department.)**

**FAVORABLE**

**D. ORDINANCES FOR FIRST READING**

- 07-O-0694 ( 1) An Ordinance by Public Safety and Legal Administration Committee to correct Sections 1, 2, and 3 in Ordinance Number 06-O-2588 adopted by the Atlanta City Council on December 4, 2006, and approved by the Mayor on December 13, 2006; and for other purposes.

**TO BE REFERRED TO PUBLIC SAFETY AND LEGAL  
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**ORDINANCES FOR FIRST READING (CONT'D)**

- 07-O-0695 ( 2)     An Ordinance by Public Safety and Legal Administration Committee to amend the Charter of the City of Atlanta, Georgia, adopted under the authority of the Municipal Home Rule Act of 1965, O.C.G.A. 36-35-1 et seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 Ga. Laws, P. 4469, et seq., by amending Article 4, "Courts", Section 4-104 regarding the Compensation of Municipal Court Judges; to repeal conflicting ordinances; and for other purposes.

**TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

- 07-O-0696 ( 3)     An Ordinance by Public Safety and Legal Administration Committee to amend the Charter of the City of Atlanta, Georgia, adopted under the authority of the Municipal Home Rule Act of 1965, O.C.G.A. 36-35-1 et seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 Ga. Laws, P. 4469, et seq., by amending Article 4, "Courts", Section 4-109 regarding the appointment of Judges Pro Hac Vice to the Municipal Court of Atlanta; to repeal conflicting ordinances; and for other purposes.

**TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

- 07-O-0697 ( 4)     An Ordinance by Public Safety and Legal Administration Committee amending the 2007 (Intergovernmental Grant Fund) Budget, Department of Fire and Rescue, by adding to anticipations and appropriations, the amount of \$527,700.00, for grant funds from the Georgia Emergency Management Agency, for the purpose of purchasing Mobile Data Computers and Automatic Vehicle Locators; and for other purposes.

**TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

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**ORDINANCES FOR FIRST READING (CONT'D)**

- 07-O-0765 ( 5)     An Ordinance by Public Safety and Legal Administration Committee to repeal the provisions pertaining to the licensure and regulation of Massage Technicians as codified in Chapter 30, Article XVI, Division 1, Section 30-951(b) entitled "Required"; Section 30-952 entitled "Qualifications of Massage Technician"; Sections 30-953(d) entitled "Qualifications of Massage Establishment"; Sections 30-954(11) and 30-954(12) entitled "Application"; Section 30-955 entitled "Reciprocity"; Section 30-956(b) entitled "Fees"; and Section 30-959(a) entitled "Revocations", of the Code of Ordinances of the City of Atlanta, Georgia; and for other purposes.

**TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**(Item 07-O-0678 was deleted from the Agenda at the request of the Law Department)**

**REGULAR**

**E.     COMMUNICATIONS**

- 07-C-0661 ( 1)     A Communication by Mayor Shirley Franklin appointing **Ms. Asha Jackson** to serve as a Taxicabs & Vehicles for Hire Hearing Officer in the Attorney Category for the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.  
**(Councilmember Smith made a motion to approve.)**

**FAVORABLE - REFERRED TO COMMITTEE ON COUNCIL**

- 07-C-0662 ( 2)     A Communication by Mayor Shirley Franklin re-appointing **Ms. Rosel Fann** to serve as a Taxicabs & Vehicles for Hire Hearing Officer for the City of Atlanta. This re-appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.  
**(Councilmember Smith made a motion to hold until Ms. Fann appears before the committee.)**

**HELD**

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**COMMUNICATIONS (CONT'D)**

- 07-C-0663 ( 3)     A Communication by Mayor Shirley Franklin re-appointing **Mr. Rollin Carter** to serve as a Taxicabs & Vehicles for Hire Hearing Officer for the City of Atlanta. This re-appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.  
**(Councilmember Martin made a motion to hold, until Mr. Carter appears before the committee.)**

**HELD**

- 07-C-0664 ( 4)     A Communication by Mayor Shirley Franklin re-appointing **Mr. John Turner** to serve as a Taxicabs & Vehicles for Hire Hearing Officer for the City of Atlanta. This re-appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.  
**(Councilmember Smith made a motion to approve.)**

**FAVORABLE - REFERRED TO COMMITTEE ON COUNCIL**

- 07-C-0665 ( 5)     A Communication by Mayor Shirley Franklin re-appointing **Mr. James T. Middlebrooks** to serve as a Taxicabs & Vehicles for Hire Hearing Officer for the City of Atlanta. This re-appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.  
**(Councilmember Smith made a motion to hold, until Mr. Middlebrooks appears before the committee.)**

**HELD**

**F.     ORDINANCES FOR SECOND READING**

- 07-O-0671 ( 1)     An Ordinance by Councilman C. T. Martin, to waive the provisions of Chapter 10, Article II, Section 10-209 (c) and (d) of the Code of Ordinances of the City of Atlanta, Georgia so as to modify the hours of operation on Memorial Day, Monday, May 28, 2007 and Labor Day, Monday, September 3, 2007 only, for all licensed establishments authorized to sell alcoholic beverages for on premises consumption; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

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**ORDINANCES FOR SECOND READING (CONT'D)**

- 07-O-0675 ( 2)     An Ordinance by Councilmembers Cleta Winslow and Jim Maddox, amending the 2007 (Intergovernmental Grant Fund) Budget, Department of Fire and Rescue, by adding to anticipations and appropriations, the amount of \$233,461.00, for grant funds from the Urban Area Security Initiative, for the purpose of funding the Atlanta Citizens Emergency Response Team; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 07-O-0676 ( 3)     An Ordinance by Councilmembers Cleta Winslow and Jim Maddox, amending the 2007 (Intergovernmental Grant Fund) Budget, Department of Fire and Rescue, by adding to anticipations and appropriations, the amount of \$26,999.54, for grant funds from the Georgia Emergency Management Agency, for the purpose of supporting the Atlanta Citizens Emergency Response Team; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**G.    RESOLUTIONS**

- 07-R-0545 ( 1)     Claim of **Nancy Montgomery**, for damages alleged to have been sustained as a result of a water main break during the installation of a sidewalk on June 6, 2006 at 2340 Hurst Drive, NE. **(Referred back from Council 4/16/07)**  
**(Councilmember Winslow made a motion to hold at the request of Councilmember Shook.)**

**HELD**

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**RESOLUTIONS (CONT'D)**

- 07-R-0699 ( 2)     A Resolution by Public Safety and Legal Administration Committee, authorizing the settlement of all claims in the case of Regina Eppinger, et al. v. City of Atlanta, Superior Court of Fulton County, Civil Action File No. 2006-CV-115594, in the amount of \$60,000.00; authorizing said payment to be charged to and paid from Fund 2J01 (Water and Sewer Fund), Account 529017 (Property Liquidation ) and Center Number: Q30001 (Deputy Director Wastewater Treatment & Collections); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 07-R-0700 ( 3)     A Resolution by Public Safety and Legal Administration Committee, authorizing the settlement of all claims against the City of Atlanta, by A & J Investment Properties, Inc. in the case of A & J Investment Properties, Inc., v. the City of Atlanta, Georgia, Superior Court of Fulton County, Civil Action File No. 2006-CV-122403, for the sum of \$20,000.00; authorizing said payment to be paid from plaintiff to the City of Atlanta to be deposited into 2J01 (Water and Sewer Fund) 469101 (Recovery of Erroneous) B00001 (Revenue Center); authorizing the Chief Financial Officer to accept this amount as full settlement of the disputed bill amount; and for other purposes.  
**(Councilmember Fauver made a motion to approve.)**

**FAVORABLE**

- 07-R-0701 ( 4)     A Resolution by Public Safety and Legal Administration Committee, authorizing the Mayor, on behalf of the Department of Fire and Rescue ("Department"), to apply for a grant from the Georgia Emergency Management Agency ("GEMA"), in the amount of \$527,700.00, for the purpose of purchasing Mobile Data Computers And Automatic Vehicle Locators; and for other purposes.  
**(Councilmember Fauver made a motion to approve.)**

**FAVORABLE**



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**RESOLUTIONS (CONT'D)**

- 07-R-0771 ( 5)     A Resolution by Public Safety and Legal Administration Committee, authorizing the City Attorney to enter into a Settlement Agreement with the Lions Groups, Inc., ("Lions Group") relating to claims resulting from Contract No. FC-7349-01; Taxiway N-5, M-14 and Intersection Upgrades at Hartsfield-Jackson Atlanta International Airport and a lawsuit filed by the Lions Group in Fulton Superior Court, Civil Action No: 2006-CV-120913, pursuant to which the City will pay \$1.9 Million to the Lion's Group which will be charged to and paid from Funds remaining in the Contract Fund, Account and Center Number: 2H21 (Airport Renewal and Extension) 574001 (Consultant and Professional Services) R21E05069999 (Commuter Runway Project) and the parties will dismiss the lawsuit; and for other purposes. **(Councilmember Smith made a motion to approve.)**

**FAVORABLE**

**H.     PAPERS HELD IN COMMITTEE**

- 06-R-0433 ( 1)     Claim of **Robert Colgin**, for damages alleged to have been sustained as a result of flooding on July 9, 2005 at 3340 Chatham Road, NW. **(Referred back by Council 2/20/06) (Held 2/28/06 for further investigation at the request of Councilmember Muller)**
- 06-O-1044 ( 2)     An Ordinance by Councilmembers H. Lamar Willis and C. T. Martin to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article 2, Section 162-61(a) and Chapter 162, Article 2, Section 162-34(f) to allow short breaks in service for Taxicabs; to allow the Chief of Police or his designee, discretion to grant further extension for correction slip matters; to repeal conflicting ordinances; and for other purposes. **(Held 5/9/06 at the request of Councilmember Martin)**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 06-O-1142 ( 3)     An Ordinance by Public Safety and Legal Administration Committee to waive Section 2-1854 of the City of Atlanta Code of Ordinances to allow for the re-appointment of Barney Simms to the License Review Board; and for other purposes. **(Held 6/13/06 for further review)**
- 06-O-1601 ( 4)     An Ordinance by Councilman C. T. Martin to amend Article XXIII (Entitled "Vending on Public Property"), Division 1, Section 30-1401, of the Code of Ordinances of the City of Atlanta, Georgia, so as to exempt Disabled Veterans from most of the provisions of the Public Property Vending Code; to waive conflicting ordinances; and for other purposes. **(Held 8/15/06 for further review)**
- 06-R-1719 ( 5)     Claim of **Kay E. Stephensen and Mark T. Gilliland**, for damages alleged to have been sustained as a result of storm water overflow on May 16, 2003 at 1125 Rosedale Drive, NE. **(Held 8/15/06 at request of Councilmember Fauver)**
- 06-O-1908 ( 6)     An Ordinance by Public Safety and Legal Administration Committee amending Chapter 162, Article II, Division 1, Section 162-33 of the Code of Ordinances of the City of Atlanta, Georgia ("City"), on behalf of the Department of Police, Bureau of Taxicabs and Vehicles for Hire ("Department"), for the purpose of increasing the fees the City assesses Taxicab Drivers and Taxicab Companies in order to offset the funding that's provided by the City to subsidize the Department's Operating Budget; to create a Taxicab Re-Inspection Fee; and for other purposes. **(Held 9/12/06 for a work session)**
- 06-R-2678 ( 7)     Claim of **Richard McDonald**, for damages alleged to have been sustained as a result of the claimant's vehicle having been towed on October 15, 2006 at Mitchell Street and Elliot Street. **(Referred back from Full Council on 01/02/07)**  
**(Held 1/9/07 for further review)**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 07-O-0078 ( 8)     An Ordinance by Councilmember Cleta Winslow **as amended by Full Council** to amend Chapter 30, Article II, Section 30-26 (b), of the City of Atlanta Code of Ordinances, so that meetings of the License Review Board are not held during the month of December; and for other purposes. **(Amended by Full Council and referred back by Council 1/16/07) (Held 1/30/07 so that a copy of the ordinance can be forwarded to the NPU's for review and comment)**
- 07-O-0249 ( 9)     An Ordinance by Councilmembers Kwanza Hall and Cleta Winslow authorizing the Mayor or her designee to grant an exemption to the City's Distance Requirements for on-premise consumption of alcohol and the sale of wine by the package on the 300 block of Walker Street. **(Held 2/13/07 for further review.)**

**I.     REQUESTED ITEMS**

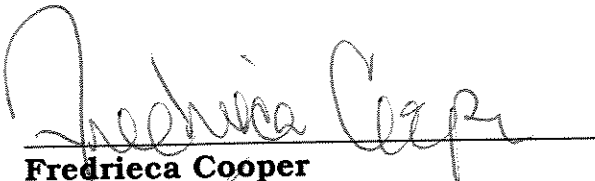
On February 27, 2007, Councilmember Martin made the following requests to the Police Department:

1.     A list of names and zone assignments of the last Graduation Class.
2.     A list of Cold Case Files maintained by the Department.

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**There being no further business to come before the Committee, the meeting was adjourned at 6:33 p.m.**

**Respectfully Submitted:**



**Fredrieca Cooper  
Legislative Assistant**



**Bernard Thomas  
Research and Policy Analyst**



**The Honorable Cleta Winslow, Chair  
Public Safety and Legal Administration Committee**